



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 7, 2016

TO: Laura Shell, Chair
Doug Smith, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Steven Jones 
Land Divisions Section

Project No. R20124-01529-(4)
Zone Change No. 201400008
Vesting Tentative Parcel Map No. 072916
Conditional Use Permit No. 201400062
Parking Permit No. 201400006
Environmental Assessment No. 201400121
Agenda Item: 7

The project is to subdivide 14.85 gross acres (13.3 net acres) to create three parcels developed with two hotels and 155 commercial retail condominium units within four detached structures in Rowland Heights.

Please find enclosed letters for the above referenced item that were received subsequent to hearing package submittal to the Regional Planning Commission.

Also please note there are corrections to the MMRP that include appropriately placing archaeological, paleontological, noise, traffic and water mitigation monitoring responsibility to the Department of Regional Planning staff as shown.

If you need further information, please contact Steven Jones at (213) 974-6433 or sdjones@planning.lacounty.gov.

KKS:SDJ

Enclosures

4.0 MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP), which is provided in **Table 4-1, *Mitigation Monitoring***, has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of a MMP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The County of Los Angeles is the Lead Agency for the proposed Rowland Heights Plaza and Hotel Project (the “Project”) and therefore is responsible for administering and implementing the MMP. The decision-makers must define specific monitoring requirements to be enforced during Project implementation prior to final approval of the proposed Project. The primary purpose of the MMP is to ensure that the mitigation measures identified in the Initial Study (designated as IS), and Draft and Final EIR (designated by the respective environmental issue within Chapter 4.0 of the EIR) are implemented, thereby minimizing identified environmental effects. The MMP also includes the proposed Project Design Features (PDFs) identified throughout Chapter 4.0 the Draft EIR. The PDFs are specific design elements proposed by the Applicant that have been incorporated into the Project to prevent the occurrence of or to minimize the significance of potential environmental effects. Because PDFs have been incorporated into the Project, they do not constitute mitigation measures, as defined by Section 15126.4 of the State CEQA Guidelines (Title 14 of the California Code of Regulations). However, PDFs are included in this MMP to ensure their implementation as a part of the Project.

The MMP for the proposed Project will be in place through all phases of the Project, including design (preconstruction), construction, and operation (both prior to and post-occupancy).

Each mitigation measure and/or PDF is categorized by impact area, with an accompanying identification of:

- The phase of the project during which the measure/PDF should be monitored;
 - Pre-construction
 - Construction
 - Prior to occupancy
 - Post-occupancy
- The enforcement agency; and
- The monitoring agency.

Table 4-1

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date Comments
<p>4.B AIR QUALITY</p> <p>PDF-AQ-1: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and achieve the equivalent of USGBC LEED® Silver Certification. These measures would also include consistency with the Los Angeles County Green Building Standards and Low Impact Development requirements. The Project would incorporate measures and performance standards which include but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. ▪ The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1-2010, Appendix G, and the Title 24 Building Standards Code. ▪ The Project would reduce indoor water use by a minimum of 35 percent by 	Prior to issuance of building permits	Department of Public Works, Building and Safety Division	Department of Public Works, Building and Safety Division		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (M/M) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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installing water fixtures that exceed applicable standards.					
4.C BIOLOGICAL RESOURCES					
<p>MM-BIO-1: Prior to the issuance of any grading permit for permanent impacts in the areas designated as jurisdictional features, the Project Applicant shall obtain a CWA Section 404 permit from the USACE, a CWA Section 401 permit from the RWQCB, and Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the CDFW. The Project would impact: 1) 0.035 acres of federal wetland, 0.120 acres of USACE drainage, and an additional 0.089 acres of USACE concrete/grouted riprap for a total of 0.209 acres of USACE jurisdictional resources; and 2) 0.316 acres of CDFW drainage, and an additional 0.089 acres of CDFW concrete/grouted riprap for a total of 0.405 acres of CDFW jurisdictional resources.. The following would be incorporated into the permitting, subject to approval by the regulatory agencies:</p> <ul style="list-style-type: none"> ▪ On- or off-site restoration or enhancement of USACE/RWQCB jurisdictional "waters of the U.S."/"waters of the State" and wetlands at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-Project 	Pre-construction Construction	Los Angeles Department of Planning	Los Angeles Department of Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>conditions (i.e., revegetate with native species, where appropriate). Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County.</p> <ul style="list-style-type: none"> On- or off-site restoration or enhancement of CDFW jurisdictional streambed and associated riparian habitat at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-project conditions (i.e., revegetate with native species, where appropriate). <p>Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County.</p>					
<p>MM-BIO-2: Prior to the issuance of any grading permit that would require removal of potential habitat for raptor or other bird nests, the Project Applicant shall demonstrate to the satisfaction of the County of Los Angeles that either of the following have been or will be accomplished:</p> <ul style="list-style-type: none"> Project activities (including, but not limited to, staging and disturbances to 	Pre-construction Construction	Los Angeles Department of Planning	Los Angeles Department of Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.</p> <ul style="list-style-type: none"> ▪ If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys beginning 30 days prior to the initiation of Project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of Project activities. If a protected native 					

4.0 Mitigation Monitoring Program

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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<p>bird is found, the Project Applicant shall delay all Project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, Project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the Project activities and the nest. Project personnel, including all contractors working on Site, shall be instructed on the sensitivity of the area. The Project Applicant shall provide the Department of Regional Planning the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p> <ul style="list-style-type: none"> ▪ If the biological monitor determines that a narrower buffer between the Project activities and observed active 						

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>nests is warranted, he/she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the Project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, the CDFW. Based on the submitted information, the Department of Regional Planning (and the CDFW, if the CDFW requests) will determine whether to allow a narrower buffer.</p> <ul style="list-style-type: none"> The biological monitor shall be present on Site during all grubbing and clearing of vegetation to ensure that these activities remain within the Project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to Project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if Project activities damage active avian nests. 					

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MIM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
4.D.1 ARCHAEOLOGICAL RESOURCES					
MM-ARCHAEO-1: The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus fill or young versus old soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Excavations into the Puente/Monterey Formation are not required to be monitored by the archaeologist since these sediments are too old to contain archaeological resources. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified archaeologist.	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning		
MM-ARCHAEO-2: In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified archaeologist. The developer shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. The treatment plan may include preservation in place (if feasible) and/or the implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. The developer, in consultation with the archaeologist and the County, shall designate repositories that meet State standards to curate the archaeological material recovered. Project material shall be curated in accordance with the State Historical Resources Commission's <i>Guidelines for Curation of Archaeological Collections</i>.</p>					

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>MM-ARCHAEO-3: The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant or developer to the County, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register.</p>	Construction	Department of Regional Planning	Department of Regional Planning		
<p>MM-ARCHAEO-4: If human remains are encountered unexpectedly during implementation of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the developer, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with</p>	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>appropriate dignity, the human remains and any associated grave goods. The MLD shall complete inspection and make a recommendation within 48 hours of being granted access by the developer to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p> <p>Upon the discovery of the Native American remains, the developer shall ensure that the immediate vicinity where the Native American human remains are located, according to generally accepted cultural or archaeological standards or practices, are not damaged or disturbed by further development activity until the developer has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The developer shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the developer or the authorized representative rejects the recommendation of the descendants and the mediation provided for in</p>					

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the developer or the authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.					
4.D.2 PALEONTOLOGICAL RESOURCES					
MM-PALEO-1: A qualified paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter the Puente/Monterey Formation. The paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified paleontologist shall supervise a paleontological monitor who shall be present during construction excavations into Puente/Monterey Formation. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date Comments
<p>be determined by the paleontologist and shall be based on the rate of excavation and grading activities, proximity to known paleontological resources or fossiliferous geologic formations, the materials being excavated (native sediments versus artificial fill), and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time field observations can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified paleontologist.</p>					
<p>MM-PALEO-2: If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and/or removal. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are curated. Any fossils collected shall be curated at a</p>	Construction	Department of Regional Planning	Department of Regional Planning		

4.0 Mitigation Monitoring Program

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a private research institute or a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository.</p>					
<p>MM-PALEO-3: The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the Lead Agency and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the Project and required Mitigation Measures.</p>	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
4.F GREENHOUSE GAS EMISSIONS					
MM-GHG-1: To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall pre-wire, or install conduit and panel capacity for, electric vehicle charging stations in 20 percent of on-site parking spaces (a total of 54 of the proposed 271 spaces).	Post-occupancy	Department of Building and Safety	Department of Building and Safety		
4.I NOISE					
PDF-NOISE-1: The Project contractor(s) would equip all construction equipment, fixed and mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning		
PDF-NOISE-2: As required by LACC, an acoustical analysis of the mechanical plans of the proposed buildings will be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that all mechanical equipment would be designed to meet noise limits in Table 4.I-7.	Pre-construction	Department of Regional Planning	Department of Regional Planning		
PDF-NOISE-3: As warranted based on ambient CNEEL levels at the Project Site, an acoustical analysis of the architectural plans of the proposed hotel buildings will be prepared by a qualified acoustical engineer prior to issuance of building permits to ensure that the building	Pre-construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
construction and design (i.e., exterior wall, window, and door) would include the required noise insulation features to demonstrate land use compatibility.					
MM-NOISE-1: A temporary noise barrier shall be used to block the line-of-sight between construction equipment and the Best Western Plus Executive Inn hotel to the south across Gale Avenue (Location R1) during Project construction. The noise barrier shall be at least 12 feet tall with noise blankets capable of achieving sound level reductions of at least 9 dBA and placed along the southern boundary of active Project construction sites to reduce construction noise at the hotel, and may be combined with security fencing.	Prior to grading	Department of Regional Planning	Department of Regional Planning		
4-K TRANSPORTATION AND PARKING					
PDF-TRAF-1: Prior to the issuance of grading permits, the Project Applicant, in coordination with LACDPW, will prepare a Construction Staging and Traffic Management Plan to be implemented during construction of the Project. The Construction Staging and Traffic Management Plan will identify all traffic control measures, signs, and delineators to be implemented by the construction contractor through the duration of construction activities associated with the Project. The Construction Staging and Traffic Management Plan will also	Pre-construction Construction	Los Angeles Department of Transportation	Los Angeles Department of Transportation		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
consider construction traffic and associated construction traffic noise from nearby simultaneous construction activities and pedestrian safety related to school routes. The Construction Staging and Traffic Management Plan will be subject to final approval by LACDPW.					
PDF-TRAF-2: The Project Applicant will install a three-way traffic signal at the primary Project Site entrance and Gale Avenue (Intersection No. 7), to provide traffic control for westbound/eastbound Gale Avenue and the southbound ingress/egress Project driveway.	Submit traffic signal plan prior to issuance of certificate of occupancy	Los Angeles Department of Transportation	Los Angeles Department of Transportation		
PDF-TRAF-3: The Commercial Center's maximum permitted occupancy load for all restaurant uses will never exceed 1,561 occupants (including both customer and staff), and total restaurant floor area will not be less than 40,113 square feet nor more than 47,000 square feet. Restaurant occupancy loads will be determined by the County Division of Building and Safety in accordance with the California Building Code in effect at the time when restaurant floor plans are submitted for Director's Review, as required by the Department of Regional Planning. Restaurant occupancy restrictions will be controlled through the Commercial Center Association's CC&R. The Commercial Center Association (as maintained by the property manager) will:	Post-occupancy	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<ul style="list-style-type: none"> - Keep records of each restaurant unit's maximum occupancy load; - Track the Commercial Center's total occupancy load; and - Have the authority to enforce each restaurant unit's maximum permitted occupancy load. - Prior to applying for Director's Review, each restaurant unit owner will obtain written authorization from the Commercial Center Association that confirms the occupancy load sought for permit complies with that unit's maximum permitted occupancy in accordance with the CC&R. Restaurant owners will be prohibited from applying for a permit that seeks an occupancy load in excess of what is allowed or building out a unit in excess of that unit's permitted maximum occupancy. - Once the Commercial Center Association has approved restaurant uses within the Commercial Center with a total of 1,561 occupants, no further restaurant uses may be approved by the Commercial Center Association. Occupant loads may be reallocated among restaurant unit owners with the prior approval of the Commercial Center Association (and such approvals from the County and Director's Review as are required by 					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
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<p>the County), but under no circumstances will the total occupant load for all restaurant uses in the Commercial Center exceed 1,561 occupants.</p> <p>MM-TRAF-1: The Project Applicant shall pay a fair-share contribution LACDPW or the City of Industry prior to issuance of certificate of occupancy, as appropriate, to implement the following physical improvements at two intersections that would be potentially significantly impacted by the Project under Future (2020) With Project Plus Cumulative Traffic conditions:</p> <ul style="list-style-type: none"> ▪ Intersection No. 1 (Fullerton Road/Gale Avenue): The Project Applicant shall coordinate with the City of Industry to arrange a fair-share contribution towards the construction of an additional westbound left-turn lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, Project Fair Share Contributions, of the approved Rowland Heights Plaza Traffic Impact Analysis, which requires the Project Applicant to contribute 97.9 percent of the estimated City of Industry cost to implement this improvement. ▪ Intersection No. 3 (Fullerton Road & SR-60 Freeway Eastbound Ramps): The Project Applicant shall coordinate with 	Prior to certificate of occupancy	Los Angeles Department of Transportation	Los Angeles Department of Transportation		

4.0 Mitigation Monitoring Program

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
LACDPW to arrange a fair-share contribution towards the construction of a northbound through travel lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, <i>Project Fair Share Contributions</i> , of the approved Traffic Impact Analysis, which requires the Project Applicant to contribute 81.1 percent of the estimated LACDPW cost to implement this improvement.					
4.1.2 WATER SUPPLY					
PDF-WATER-1: The Project will use drought-tolerant and water efficient landscaping in accordance with the County's Green Building Standards and the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) Program, and will use low-flow fixtures (e.g., toilets, urinals, faucets, showerheads, etc.) and smart irrigation controls in accordance with the LEED® Program and Titles 20 and 24 of the CCR.	Prior to issuance of building permits	Department of Regional Planning	Department of Regional Planning		
PDF-WATER-2: Because existing recycled water pipelines are located in the Project vicinity, the Project Applicant will consult with the Rowland Water District regarding potential use of recycled water for Project Site landscape and irrigation as required by RWD's Mandatory Recycled Water Connection Policy (Ordinance No. 0-0-7-2005 as updated by Ordinance No. 0-	Operations	Department of Building and Safety	Department of Building and Safety		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
				Initial	Date	Comments
9-2010).						



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September 6, 2016

Mr. Steven D. Jones
Loa Angeles County Department of Regional Planning
320 W. Temple Street, Room 1382
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Re: Rowland Heights Plaza and Hotel Project
Project No. R2014-01529-(4)
Environmental Assessment No. 201400121

Dear Mr. Jones,

With respect to the Final Environmental Impact Report (FEIR) for above-referenced development project, we would like to provide the following comments:

- (1) The Project should not be approved with less than unadjusted parking spaces required by County Zoning Code.** While County Zoning Code allows consideration of shared parking concept under certain circumstances, specific characteristics of proposed development projects and location of the projects must be considered, and ULI shared parking methodology cannot be universally adopted. The Project will divide the property into three separate parcels; each will eventually have different ownership. The retail/restaurant/office mixed use parcel will be developed as commercial condominiums, potentially has up to 155 different owners. Despite existence of CC&R and shared parking agreement, the actual utilization of shared parking will not be proactively encouraged or promoted due to the fact that they will be owned by different owners, each having its own interest to consider. While there might be some captive market available for businesses of the mixed use parcel, the extent of which cannot be ascertained or assumed. The utilization of hotel parking spaces by mixed use parcel is even more uncertain and problematic due to the fact that majority of the parking spaces are either at the rear of the hotels or their underground parking structures. The 99 Ranch Market shopping center immediately to the east of the Project has 27.07% of its leaseable space used as restaurant; parking is provided based on County Zoning Code without adoption of shared parking concept; and the parking spaces are being fully utilized during peak hours. The Project's mixed use parcel will have 31.90% to 37.35% of its space being used as restaurants; there is no reason to believe that the number of parking spaces provided, reduced by adoption of shared parking concept, will be sufficient to serve the businesses and their patrons. Due to the facts that the property is being developed as three separate parcels, with potentially up to 157 owners, and is located at

an area that parking demand during peak hours is known to be high; the Project should not be approved unless sufficient parking is provided based on individual parcel, and without adoption of shared parking concept.

(2) The Project's FEIR does not reflect the eventual plans that will be used to build the Project.

The Applicant was made aware of a 22 feet setback restriction at the east boundary of the Project in January 2016. Instead of modifying development plans to comply with such restriction, the Applicant has elected to proceed with plans and maps that do not comply with the setback restriction, but promised to modify plans to address the setback restriction after EIR is certified and permits are granted (*Please see August 24, 2016 letter from Parallax Investment Corporation attached*). FEIR should reflect the actual development plans before it is certified, and modifications after certification of FEIR should only be reserved for issues that surface afterwards, not those can be addressed before certification. Since the plan modifications very likely will change the building square footage and parking spaces provided in the Project, both are significant elements of an EIR; and given the fact that there was enough time for Applicant to make the necessary plan modifications prior to the public hearing and consideration of FEIR, Applicant should be required to make the necessary plan modifications and amend the FEIR as needed before certification is granted.

(3) The Project's Traffic Analysis should not be approved until a new study is conducted utilizing accurate current traffic data.

The traffic data used in the FEIR was collected in 2013 and 2015, before and during the Nogales Street grade separation and Gale widening construction project administered by Alameda Corridor-East Construction Authority ("ACE Construction"). In 2013, Gale Avenue had only 2 lanes, 1 eastbound, 1 westbound, with a shared turning lane in the middle; and Nogales Street had railroad crossing that severely impacted traffic flow. The ACE Construction was completed and Nogales Street reopens for traffic in June 2016. The traffic pattern and volume has changed significantly between 2013 and 2016. The 2013 traffic data is not indicative of actual traffic condition today and should not have been used to establish baseline, against which the Project's impacts on traffic are compared. Our comments to the Draft EIR pointed out this fundamental flaw in traffic data used, and recommended that new traffic counts be taken after completion of ACE Construction and new traffic studies be conducted to establish accurate baseline for comparison. The Applicant had ample time since June 2016 to conduct such studies, but elected to continue using outdated 2013 traffic data to establish baseline in the FEIR. Any analysis utilizing outdated data, while accurate data are readily available, is inherently flawed and should not be accepted nor approved. Applicant should be directed to collect current traffic data and conduct new analysis using the accurate data; if changes are significant, draft EIR should be recirculated for comments and hearing before being presented as FEIR for consideration.

(4) The Proposal to share driveway (identified as Project East Access in the Project traffic study, will be identified as Access Road in these comments) with 99 Ranch Market shopping center should not be accepted until Applicant can demonstrate that additional traffic generated by the Project will not impede ingress and egress of 99 Ranch Market shopping center. The Project proposes sharing of existing Access Road with Rowland Heights Plaza Shopping Center ("99 Ranch Market Shopping Center" or "99 Ranch Market"). The Project's traffic studies predict

70% to 80% of its incoming and outgoing traffic will travel through the shared Access Road, and asserts that the level of service (LOS) of that Access Road will remain acceptable despite very significant increase of traffic volume. However, the assertion is flawed for the following reasons:

- (A) In 2013, 99 Ranch Market Shopping Center had 3 driveways on Gale that allowed access to Gale, for both east and west bound. Access Road did not exist at that time. *(Please see Photo 1 and 2 attached)*. After ACE Construction, Gale Avenue now has 2 lanes each for east and west bound, but has a concrete median that prohibits left turns into and out of 99 Ranch Market; consequently, all Gale eastbound traffic entering 99 Ranch Market and all traffic exiting 99 Ranch Market and going Gale eastbound must use Access Road, which replaced one of the 3 driveways 99 Ranch Market had before 2013. *(Please see Photo 3 attached)*. In 2015, when Applicant's consultant collected additional traffic data pertaining to 99 Ranch Market on September 9 and September 12, 2015 while Nogales Street and Gale Avenue were still under construction. The raw data was provided to us but analysis was never conducted utilizing those data, and those data was never made part of EIR appendix. At that time, Nogales was closed to traffic and Gale had 4 lanes but with intermittent lane closures, 99 Ranch Market only had 2 driveways available for ingress and egress at that time and saw significant reduction in traffic into the shopping center. *(Please see Photo 4 attached)*. Applicant conducted analysis on October 8, 2015 related to Gale and Access Road intersection *(identified as Intersection #8 in Project traffic analysis)* using data that shows Saturday Peak Hour at 93 southbound left to Eastbound Gale and 96 southbound right to Gale westbound, a total of 189 vehicle trips from 99 Ranch Market utilizing Access Road (the actual count sheets are missing from the EIR appendix). However, when we collected our own data on August 20, 21 and 26, 2016, less than 3 months after Nogales Street was reopened for traffic (please see attached August 20, 2016 ITM Peak Hour summary prepared by NDS), it shows 201 southbound from Access Road to eastbound Gale and 46 southbound from Access Road turning right to westbound Gale, a total of 247 vehicle trips from 99 Ranch Market utilizing that Access Road, a very significant increase of traffic turning to eastbound Gale compared to Applicant's 2015 data used in the analysis. Due to Applicant's inaccurate data, traffic analysis on Access Road resulted from those data should not be accepted and new analysis based on 2016 data should be conducted.
- (B) Applicant's analysis on Intersection #8 referred to in section 4(b) above, utilizing inaccurate data collected in 2013 and 2015, is only about how much traffic can travel through that Intersection under ideal circumstance; it does not take into account the severe impact on the efficiency of that Access Road caused by complicated ingress and egress patterns at the cul-de-sac of that Access Road created by Applicant's plans. In addition to exiting access to 99 Ranch Market, the Project proposed 2 new accesses, one serves as the main entrance to the Project, the second one enters directly into one of the Project's underground parking structure. On the proposed plans, the three access points will have a stop sign when exiting, ingress traffic will have right of way to all 3 access points. Egress from the Project's main entrance will have priority after ingress traffic, due to the fact that they are making a right turn on to Access Road, they can

proceed even if there is incoming traffic. 99 Ranch Market egress traffic will have to wait for ingress traffic to clear then proceed to make a left onto Access Road only if there is no egress traffic from the Project; thus, leaving 99 Ranch Market egress as last priority and create a backlog of cars trying to exit the shopping center and impacting the shopping center's traffic circulation. In addition to existing 99 Ranch Market vehicle trips going through that Access Road, the Project is expected to generate additional 1,092 vehicle trips per hour during the Saturday mid-day peak hours. Among the new vehicle trips, 80% of outbound and 70% of inbound traffic related to retail and restaurant uses are projected to go through that shared Access Road; 100% of office use traffic and 20% of hotel traffic are also expected to go through the same Access Road. Seeing strong possibility of traffic congestion on Access Road, in our comments to draft EIR, we requested that Applicant conduct a traffic pattern analysis, focused on the interaction of the 3 accesses at the cul-de-sac. Applicant elected to ignore that request. Without a study, Applicant cannot assert the LOS of Access Road will be acceptable after the Project is built and occupied.

The Access Road was built to replace an existing access to 99 Ranch Market, is the only access that allow 18-wheel delivery truck into 99 Ranch Market, and was designed with the intention to accommodate significant amount of additional traffic. With so much additional vehicle trips generated by the Project that is projected to travel through Access Road, and 3 ingress points plus 3 egress points placed so close to each other at the end of Access Road (*highlighted in red circle in attached site plan*), the possibility of decreased efficiency and increased traffic congestion and vehicle collisions is very real; and vehicles from the 99 Ranch Market shopping center might not be able to exit during peak hours. Our concerns were not addressed on the Final EIR; therefore, we collected our own traffic data on August 20, 21 and 26 of 2016. The data collected shows a significant higher traffic count on Access Road than those shown in the Final EIR collected by Applicant in 2015. Due to the flawed data collection and lack of analysis on the impact of additional ingress and egress points on the efficiency and sufficiency of that Access Road, proposed sharing of Access Road should not be approved until a new traffic study can demonstrates its feasibility. The Project has another 2 accesses from Gale Avenue, one of them will have traffic signals, Applicant can modify design to direct traffic through those 2 accesses, and avoid severely impacting the viability of an existing shopping center.

Sincerely yours,

Felix Chen

Felix Chen, President
Golden Pacific Realty, Inc.

Attachments

Photo 1



Photo 2

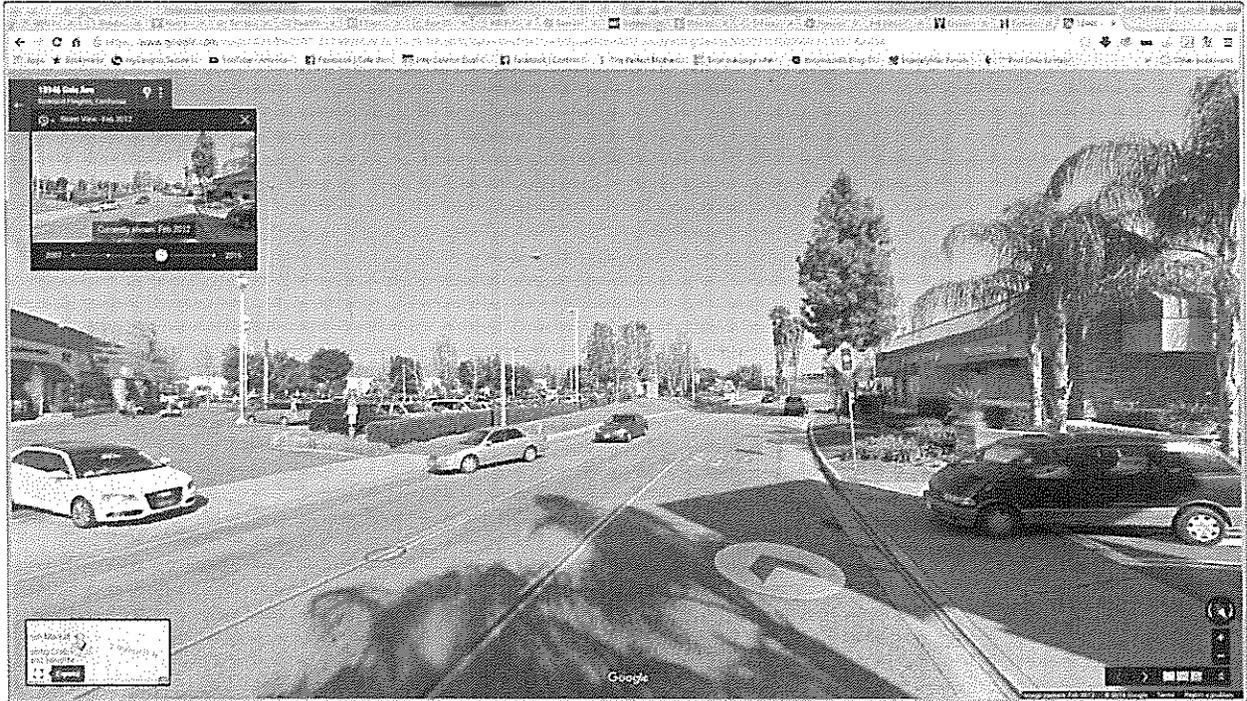


Photo 3



Photo 4





August 24, 2016

Mary Chan
Vice President
Edward Properties
515 S. Figueroa Street, Suite 1028
Los Angeles, CA 90071-3327

Felix Chen
Golden Pacific Realty, Inc.
20955 Pathfinder Road Suite 210
Diamond Bar, CA 91765

Re: 18800 Railroad Street, Rowland Heights, California

Dear Mary and Felix:

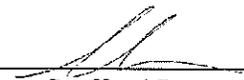
This letter is written to confirm that the undersigned, as the purchaser in escrow to acquire the real property commonly known as 18800 Railroad Street, Rowland Heights, California (the "**14-Acre Parcel**"), has discussed the setback restriction set forth in Section (9) of the short form memorandum ground lease recorded on January 23, 1984 as Instrument No. 84-86162 in the Official Records of Los Angeles County, California (the "**Setback Restriction**") with the County's planning staff.

The County has advised that a modification to address the Setback Restriction would be processed by the County after its approval of the project permits and associated map for the 14-Acre Parcel. Accordingly, we will process a modification to address the Setback Restriction after the currently scheduled hearing on the EIR and County approval of the associated project permits and map.

If you have any questions, please feel free to give me a call at (416) 944-0968.

Sincerely,

Rowland Heights Plaza Limited Partnership,
a Delaware limited partnership

By: 
Stafford Lawson
President

ITM Peak Hour Summary

Prepared by:



National Data & Surveying Services

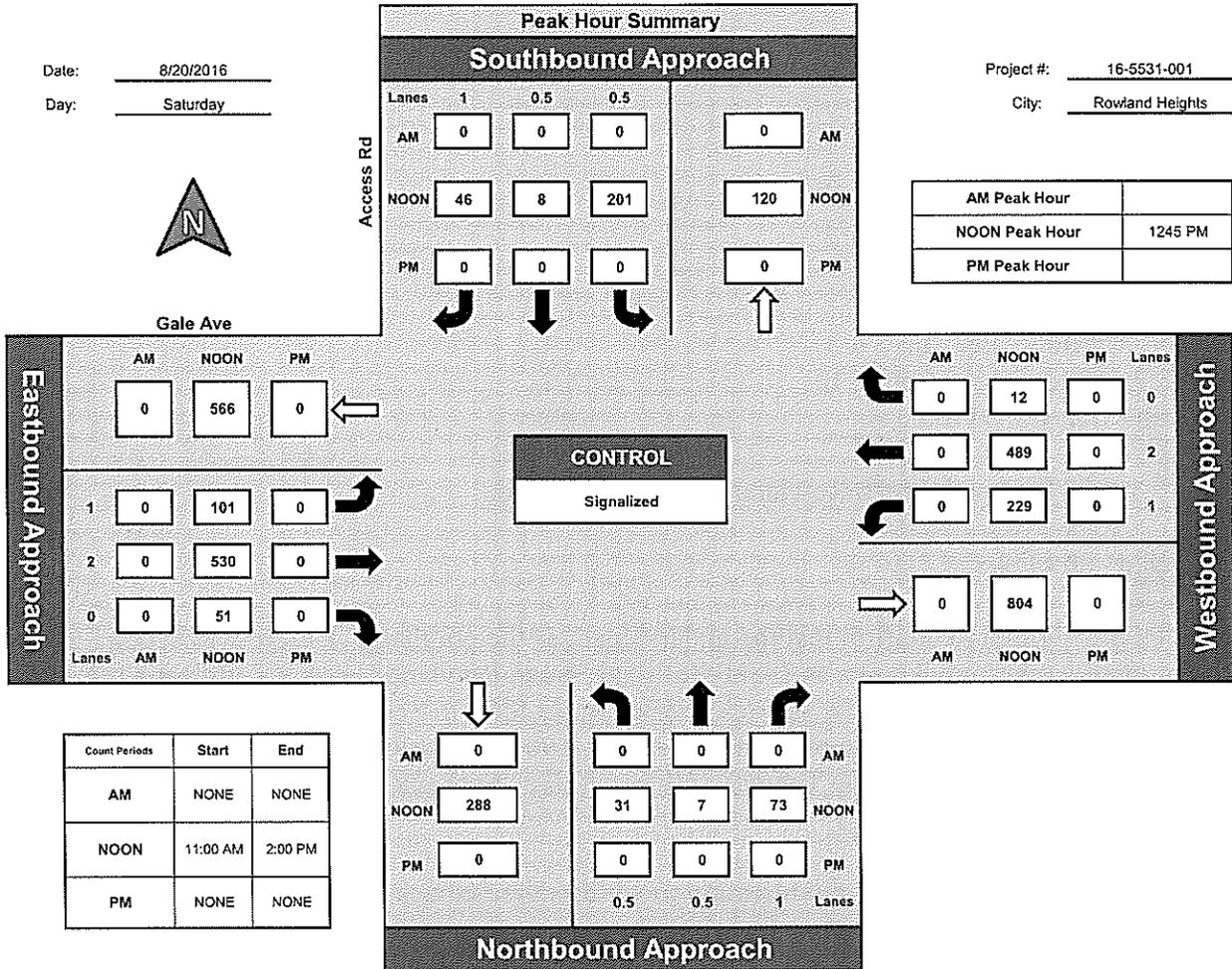
Access Rd and Gale Ave, Rowland Heights

Date: 8/20/2016

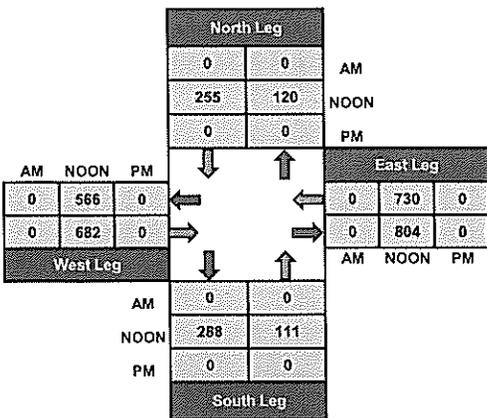
Day: Saturday

Project #: 16-5531-001

City: Rowland Heights



Total Ins & Outs



Total Volume Per Leg

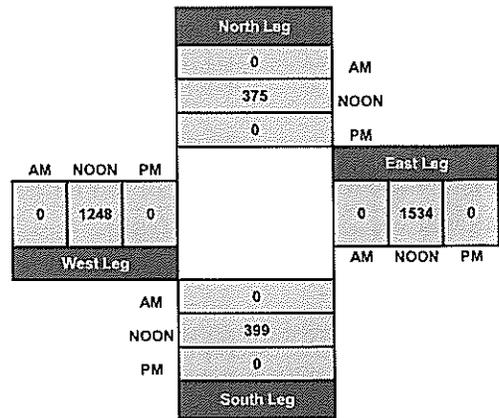
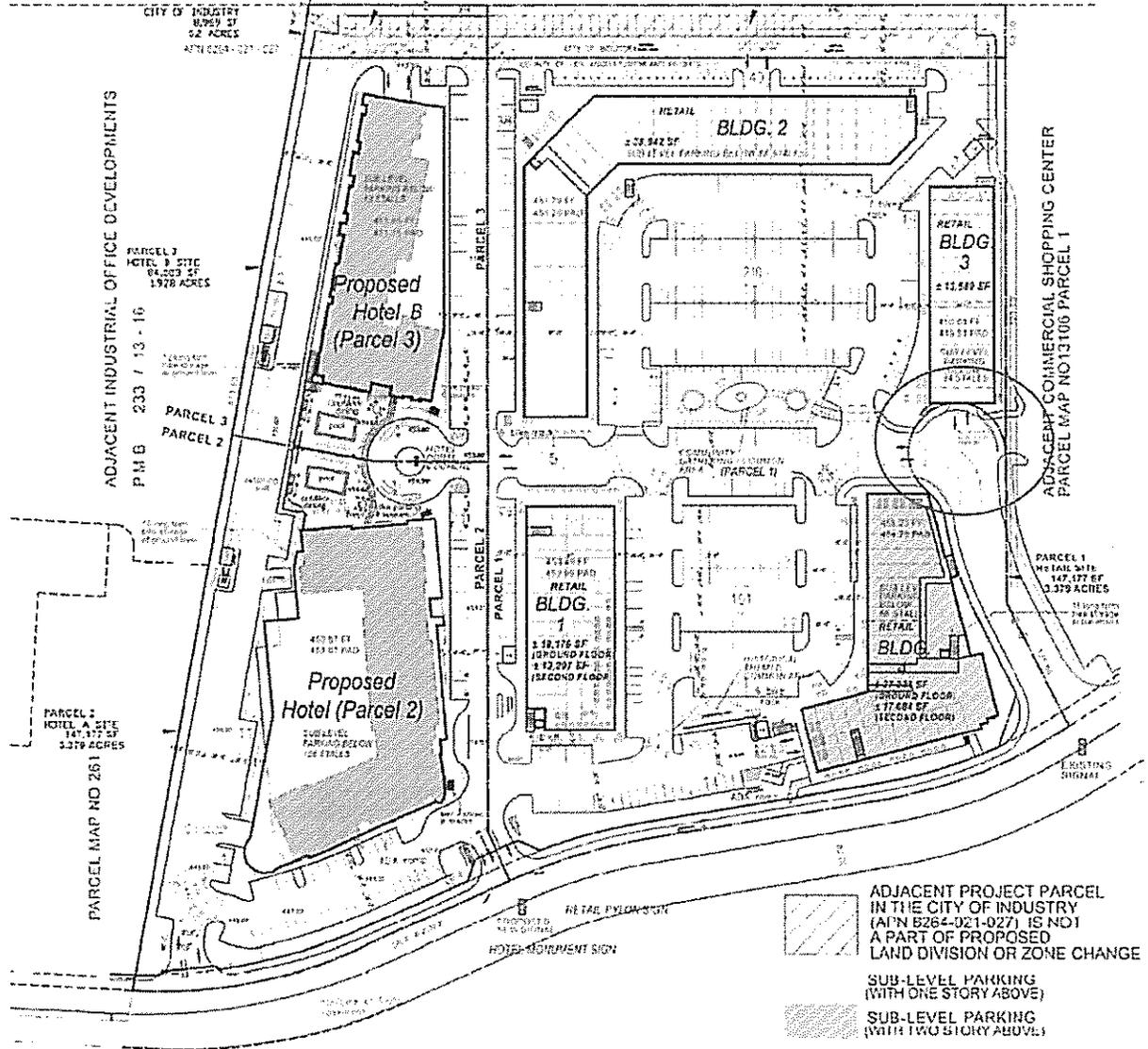


Figure 2 Site Plan

APN 8264-021-881
OWNER UNION PACIFIC RAILROAD CO
C/L PACIFIC RAILROAD RIGHT OF WAY



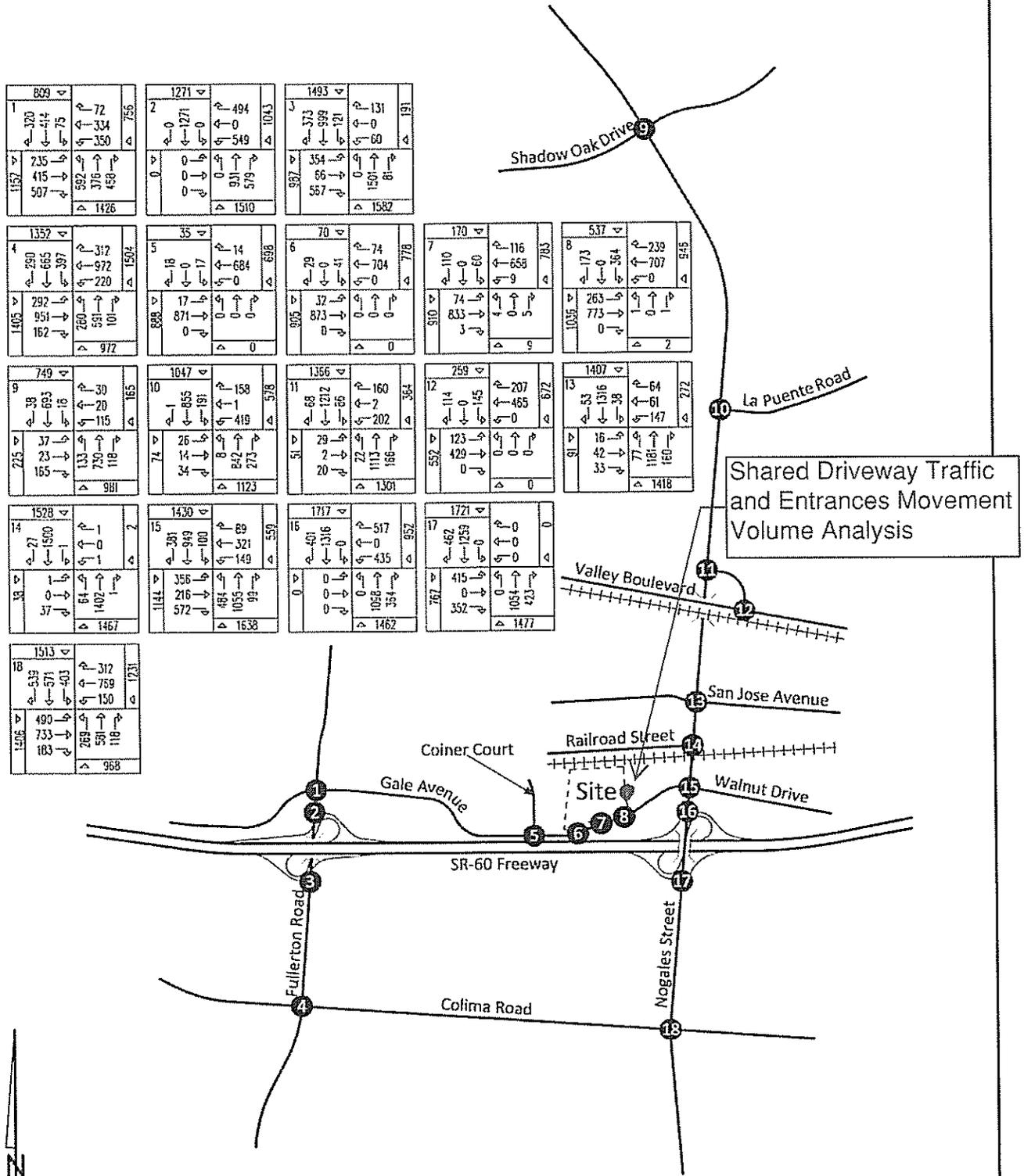
-  ADJACENT PROJECT PARCEL IN THE CITY OF INDUSTRY (APN 8264-021-027) IS NOT A PART OF PROPOSED LAND DIVISION OR ZONE CHANGE
-  SUB-LEVEL PARKING (WITH ONE STORY ABOVE)
-  SUB-LEVEL PARKING (WITH TWO STORY ABOVE)
-  SECOND / UPPER FLOOR AREAS



KLINZMAN ASSOCIATES, INC.
OVER 35 YEARS OF EXCELLENT SERVICE

5089e/2

Figure 25
Existing Plus Project Saturday
Mid-Day Peak Hour Intersection Turning Movement Volumes



NTS

KUNZMAN ASSOCIATES, INC. Intersection reference numbers are in upper left corner of turning movement boxes.

OVER 35 YEARS OF EXCELLENT SERVICE

5089e/25



ROWLAND HEIGHTS COMMUNITY COORDINATING COUNCIL

"IMPROVING OUR COMMUNITY"

WWW.ROWLAND-HEIGHTS.ORG

September 5, 2016

P.O. Box 8171
Rowland Heights
California 91748
Email:
rhccc4RH@gmail.com

Mr. Steven Jones
Via Email: sdjones@planning.lacounty.gov

Re: Rowland Heights Plaza and Hotel Project No. R2014-01529-(4)

President
Ted Ebenkamp

Vice President
Allen Sabio
Roland Sanchez
Henry Woo

Recording secretary
Ken Meng

**Corresponding
Secretary**
David Koo

Treasurer
Carla Sanchez

Historian
Charles Liu

1. There is a great deal of community concern the extended stay hotel portion of this project will be used for birthing house purposes. This is already a significant problem in our community. At a recent community meeting a sheriff's deputy reported 40% of the units in a large Rowland Heights apartment complex are being used for birthing tourism purposes, and this is in addition to similar operations in numerous single family homes throughout the community. At the scoping meeting for the EIR one of the consultants on this project stated the developer would establish a 30 day maximum usage time for the extended stay facility. **The community asks Regional Planning to impose a maximum stay of four weeks as a condition of the conditional use permit.**

2. Despite some improvements from the original plan the parking for the commercial portion of the project it still does not meet the number of spaces required for a project of this size. Residents do not accept the creative "shared parking" concept put forward by the consultant and ask Regional Planning to require applicant to revise the plan to provide the full number of space required.

3. Resident are concerned with the traffic impact this project will have on intersection of Gale Avenue, Nogales Street, and the westbound 60 Freeway off ramp at Nogales. Westbound freeway travelers attempting to access the project will need to cross over several lanes on Nogales to get into the center left hand turn lane. In addition the distance of the Nogales left hand turn lane from Gale avenue is quite short, and will cause backups and congestion.

4. Residents are concerned the large number of small retail condo units will over time lead to a commercial "slum". While the developer might initially retain significant control, this will diminish with time as the units sell and there is concern a HOA will not will not be able to maintain high standards. The community is especially concerned regarding the probability visual pollution will result from signage in a number of different languages in so many small commercial units.

5. The community especially objects to the fact the Regional Planning hearing for this very large and important project is not being held in Rowland Heights despite the fact it conflicts significantly with several important aspects of our Rowland Heights Community General Plan

Please convey these comments to each of the Regional Planning Commissioners

Sincerely,
Ted Ebenkamp, President Rowland Heights Community Coordinating Council
909 594-0-429

Steven Jones

From: John Grant <mnjgrant@aol.com>
Sent: Monday, September 05, 2016 5:03 PM
To: Steven Jones
Subject: Public Hearing Vote

Follow Up Flag: Follow up
Flag Status: Flagged

Steven Jones,

I vote NO to PROJECT NO: R2014-01529-(4)

Thank you.

John Grant

Steven Jones

From: RB Mitch <rbmtch@gmail.com>
Sent: Sunday, August 07, 2016 6:02 PM
To: Steven Jones
Subject: Public Hearing - Rowland Heights Plaza and Hotel Project

Steven,

First of all, I would like to thank you for sending the notification of the hearing to address the Rowland Heights Plaza and Hotel Project.

I realize that decisions are not made by yourself but I have noticed that the parties responsible for this project have already begun grading and closed the road going through the property. How can they begin this process if it's still in the approval stages? Have the people in power already made up their minds that the project is approved and this hearing is just window dressing?

My main concern is the location of the hearing. Why would the hearing take place in downtown Los Angeles when it affects the people in Rowland Heights? Not only that but the time and location is not feasible for all parties, do you know the distance and during business hours it's not the right time. It's almost like these barriers are placed before us to prevent the people from Rowland Heights from attending this meeting.

I would appreciate your forwarding my email to those who are responsible for this project to see what can be done to accommodate we the people of Rowland Heights.

Once again, thank you for the notification and if this project impacted yourself or your community I am sure that you would understand. We do not have a lot of time and a response back would be greatly appreciated.

A Concerned Rowland Heights Owner,

Ron Mitchell - 626.633.6566

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Ron Mitchell

